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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,614

04/06/2006

Jonathan Taqvi

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2427

48980

7590

06/21/2006

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EXAMINER

COLETTA, LORI L

ART UNIT

PAPER NUMBER

3612

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/565,614	TAQVI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lori L. Coletta	3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 15 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01242006</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Objections***

1. Claim 20 objected to because of the following informalities:

Claim 20 needs to be written in independent form.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4-9, 13 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Chan 5,116,273.

Regarding claim 1, Chan '273 discloses a sunblind for a window of a vehicle, the sunblind comprising a rigid frame having a closed-loop configuration, a panel of flexible material secured to the rigid frame, the panel having a desired degree of opacity to sunlight and extending over the interior of the rigid frame, and means for fixing the rigid frame to an interior surface of the vehicle such that the panel occludes at least part of the window to sunlight.

Regarding claim 4, Chan '273 discloses the sunblind, wherein the rigid frame is elastically deformable in response to deliberately increased pressure by a user.

Regarding claim 5, Chan '273 discloses the sunblind, wherein the panel of flexible material is secured to the rigid frame is formed from a length of wire.

Regarding claim 6, Chan '273 discloses the sunblind, wherein the panel of flexible material is secured to the rigid frame in a tensioned state.

Regarding claim 7, Chan '273 discloses the sunblind, wherein the panels of flexible material is secured to the rigid frame by blinding comprising a tape that extends around the edges of the rigid frame and is attached to a peripheral portion of the panel so as to form a tube that surrounds the frame and holds the panel in tension.

Regarding claim 8, Chan '273 discloses the sunblind, wherein the flexible material is a fabric.

Regarding claim 9, Chan '273 discloses the sunblind, wherein each fixing component has the form of a lug that is planar in form and is adapted to engage an appropriate part of the recess formed between a peripheral portion of the window and adjacent surface of the window frame and any sealing material.

Regarding claim 13, Chan '273 discloses a method of manufacturing a sunblind for a window of a vehicle, the method comprising the following steps forming a rigid frame having a closed-loop configuration; forming a panel of flexible material which has a desired degree of opacity to the sunlight; securing the panel to the rigid frame such that the panel extends over the interior of the rigid frame; and providing means for fixing the rigid frame to an interior surface of the vehicle such that the panel occludes at least part of the window to sunlight.

Regarding claim 20, Chan '273 discloses a vehicle fitted with a sunblind.

4. Claims 1, 5, 8, 9, 13 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by European reference 0 193 150.

Regarding claim 1, European reference '150 discloses a sunblind for a window of a vehicle, the sunblind comprising a rigid frame having a closed-loop configuration, a panel of flexible material secured to the rigid frame, the panel having a desired degree of opacity to sunlight and extending over the interior of the rigid frame, and means for fixing the rigid frame to an interior surface of the vehicle such that the panel occludes at least part of the window to sunlight.

Regarding claim 5, European reference '150 discloses the sunblind, wherein the panel of flexible material is secured to the rigid frame is formed from a length of wire.

Regarding claim 8, European reference '150 discloses the sunblind, wherein the flexible material is a fabric.

Regarding claim 9, European reference '150 discloses the sunblind, wherein each fixing component has the form of a lug that is planar in form and is adapted to engage an appropriate part of the recess formed between a peripheral portion of the window and adjacent surface of the window frame and any sealing material.

Regarding claim 13, European reference '150 discloses a method of manufacturing a sunblind for a window of a vehicle, the method comprising the following steps forming a rigid frame having a closed-loop configuration; forming a panel of flexible material which has a desired degree of opacity to the sunlight; securing the panel to the rigid frame such that the panel extends over the interior of the rigid frame; and providing means for fixing the rigid frame to an interior surface of the vehicle such that the panel occludes at least part of the window to sunlight.

Regarding claim 20, European reference '150 discloses a vehicle fitted with a sunblind.

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5. Claims 1-4, 6, 8-14 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by German reference 37 18729.

Regarding claim 1, German reference '729 discloses a sunblind for a window of a vehicle, the sunblind comprising a rigid frame having a closed-loop configuration, a panel of flexible material secured to the rigid frame, the panel having a desired degree of opacity to sunlight and extending over the interior of the rigid frame, and means for fixing the rigid frame to an interior surface of the vehicle such that the panel occludes at least part of the window to sunlight.

Regarding claim 2, German reference '729 discloses the sunblind, wherein the sunblind is formed with a shape and dimensions that match those of a particular window in a particular make and model of vehicle.

Regarding claim 3, German reference '729 discloses the sunblind, wherein the sunblind is formed with an identical shape and identical dimensions to those of the window as so to occlude the whole of the window to sunlight.

Regarding claim 4, German reference '729 discloses the sunblind, wherein the rigid frame is elastically deformable in response to deliberately increased pressure by a user.

Regarding claim 6, German reference '729 discloses the sunblind, wherein the panel of flexible material is secured to the rigid frame in tensioned state.

Regarding claim 8, German reference '729 discloses the sunblind, wherein the flexible material is a fabric.

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Regarding claim 9, German reference '729 discloses the sunblind, wherein each fixing component has the form of a lug that is planar in form and is adapted to engage an appropriate part of the recess formed between a peripheral portion of the window and adjacent surface of the window frame and any sealing material.

Regarding claim 10, German reference '729 disclosed the sunblind, wherein the sunblind includes two fixing components disposed on opposing edges of the sunblind.

Regarding claim 11, German reference '729 disclose the sunblind, wherein each fixing component has the form of a lug that is planar in form and is adapted to engage an appropriate part of the recess formed between a peripheral portion of the window and an adjacent surface of the window frame and any sealing material.

Regarding claim 12, German reference '729 discloses the sunblind, wherein each fixing component is a clip mounted on the frame of the window which adapted to engage with, and blind to, the rigid frame of the sunblind.

Regarding claim 13, German reference '729 discloses a method of manufacturing a sunblind for a window of a vehicle, the method comprising the following steps forming a rigid frame having a closed-loop configuration; forming a panel of flexible material which has a desired degree of opacity to the sunlight; securing the panel to the rigid frame such that the panel extends over the interior of the rigid frame; and providing means for fixing the rigid frame to an interior surface of the vehicle such that the panel occludes at least part of the window to sunlight.

Regarding claim 14, German reference '729 discloses a method. Even though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production.

Regarding claim 17, German reference '729 discloses a method of fixing a sunblind to an interior surface of a vehicle so that the sunblind occludes at least part of a window to sunlight, the method comprising the following steps providing a sunblind comprising a rigid frame having a closed-loop configuration, a panel of flexible material secured to the rigid frame, the panel having a desired degree of opacity to sunlight and extending over the interior of the frame, and first and second lugs disposed on opposing edges of the rigid frame, the first and second lugs being adapted to engage a first and second recess, respectively at the periphery of the window; engaging the first lug with the first recess; deforming the rigid frame from a rest state into a deformed state so that the second lug is able to engage with the second recess; engaging the second lug with the second recess; and reforming the rigid frame from the deformed state to the rest state so as to fix the sunblind to an interior surface of the vehicle.

Regarding claim 18, German reference '729 discloses a method, wherein the first and second lugs are planar to form, and the first and second recesses are appropriate parts of the recess formed between a peripheral portion of the window and an adjacent surface of the window frame and any sealing material.

Regarding claim 19, German reference '729 discloses a method, wherein the sunblind includes a finger grip mounted in either the rigid frame adjacent to the second lug, or the second lug itself, to facilitate deformation of the frame.



Regarding claim 20, German reference '729 discloses a vehicle fitted with a sunblind.

***Allowable Subject Matter***

6. Claims 15 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references show several other sunblinds similar to that of the current invention.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is 571-272-6658.

The examiner can normally be reached on Monday-Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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*Lori L. Coletta*

Lori L. Coletta

Primary Examiner

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llc

June 18, 2006